

ASSEMBLY BILL

No. 292

Introduced by Assembly Member Steinorth

February 2, 2017

An act to add and repeal Section 17239 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 292, as introduced, Steinorth. Personal income tax: deductions: qualified pet adoption costs.

The Personal Income Tax Law, in modified conformity with federal income tax laws, allows various deductions in computing the income that is subject to the taxes imposed by that law, including miscellaneous itemized deductions that are allowed only to the extent that the aggregate amount of those deductions exceed 2% of adjusted gross income.

This bill, for taxable years beginning on or after January 1, 2018, and before January 1, 2023, would allow a deduction, not to exceed \$100, under that law for the qualified costs paid or incurred by a taxpayer for the adoption of a qualified pet, as defined, from a qualified animal rescue organization.

This bill would take effect immediately as a tax levy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17239 is added to the Revenue and
- 2 Taxation Code, to read:

1 17239. (a) For each taxable year beginning on or after January
2 1, 2018, and before January 1, 2023, there shall be allowed as a
3 deduction an amount equal to the qualified costs paid or incurred
4 during the taxable year by a taxpayer for the adoption of a qualified
5 pet from a qualified animal rescue organization.

6 (b) For the purposes of this section, the following definitions
7 shall apply:

8 (1) “Qualified animal rescue organization” means a public
9 animal control agency or shelter, humane society shelter, or rescue
10 group.

11 (2) “Qualified costs” means amounts paid or incurred to a
12 qualified animal rescue organization to adopt a pet, not to exceed
13 one hundred dollars (\$100).

14 (3) “Qualified pet” means either of the following animals
15 adopted from a qualified animal rescue organization that is not
16 used by the taxpayer in a trade or business or for the production
17 of income:

18 (A) A pet over four years of age, as determined by the qualified
19 animal rescue organization.

20 (B) A cat.

21 (4) “Rescue group” means an organization exempt from federal
22 income taxation as an organization described in Section 501(c)(3)
23 of the Internal Revenue Code, whose primary purpose is the
24 placement of dogs, cats, or other animals that have been removed
25 from a public animal control agency or shelter, society for the
26 prevention of cruelty to animals shelter, or humane society, or that
27 have been surrendered or relinquished to the rescue group by the
28 previous owner.

29 (c) The deduction allowed under this section for a taxable year
30 shall not exceed one hundred dollars (\$100).

31 (d) This section shall remain in effect only until December 1,
32 2023, and as of that date is repealed.

33 SEC. 2. This act provides for a tax levy within the meaning of
34 Article IV of the California Constitution and shall go into
35 immediate effect.